

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-56 were pending in this application. In this Amendment, claims 1, 13, 25, 39, 46, and 54 have been amended. Claims 19 and 36 have been canceled. Accordingly, claims 1-18, 20-35, and 37-56 will be pending upon entry of the present Amendment.

In the Office Action, claims 13-19 and 24 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,594,635 to Erlanger et al. ("Erlanger"). Claims 1, 3-12, 20, 22, 25, 27-39, 41-46, 48-50, and 53-56 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Erlanger in view of U.S. Patent No. 7,062,460 to Growney et al. ("Growney"). Claims 2, 21, 23, 26, 40, 47, 51, and 52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Erlanger in view of Growney, further in view of U.S. Patent No. 7,080,020 to Klaus ("Klaus"). To the extent that these rejections might still be applied to the presently pending claims, Applicants respectfully traverse the rejections. The following remarks are organized under subheadings corresponding to the rejections.

Rejection Of Claims 13-19 And 24 Under 35 U.S.C. § 102(e)

The rejection of claims 13-19 and 24 should be withdrawn because Erlanger fails to teach at least one element included in each of the rejected claims, as amended herein.

Amended claim 13 includes subject matter originally recited in claim 19, which has been canceled. Amended claim 13 now recites a method of offering a reinsurance product, comprising, among other steps, indicating to the bidder whether the at least one bid is accepted,

wherein the step of indicating to the bidder whether the at least one bid is accepted comprises providing a status for the at least one bid, the status comprising one of OK, Partial OK, and Excluded, wherein a status of OK denotes acceptance of a bid, a status of Partial OK denotes only a portion of requested capacity will be filled, and a status of Excluded denotes that a bid has not been accepted. Support for this Amendment can be found in the present application, for example, at paragraphs [0046]-[0051] of the specification and in Figure 4. The claimed invention thus operates to indicate one of three possible status conditions for a bid. While the status "OK" denotes acceptance of a bid and the status "Excluded" indicates the bid is not accepted, the status of "Partial OK" denotes that only a portion of requested capacity in the bid will be filled.

Because amended claim 13 now includes the limitations of canceled claim 19, Applicants now turn to the Examiner's rejection of former claim 19, which was based on the disclosure in column 13, lines 45-50 of Erlanger. Therein, Erlanger discloses steps in a method in which insurance solicitations are compared to existing underwriting standards (see steps 303 and 305 of Figure 4). As pointed out by the Examiner, the results of the comparison can have three possible outcomes: the insurance solicitation does not satisfy any underwriting standard, the insurance solicitation satisfies only one underwriting standard, and the insurance solicitation satisfies two or more underwriting standards. These outcomes are alleged to read on the "Excluded," "Partial OK," and "OK" status features recited in former claim 19 (and now in claim 13).

Applicants respectfully submit that the Examiner's reading of the claim terms recited in claim 13 is overbroad. For example, the present specification clearly discloses that the term

Partial OK refers to the fact that the full capacity request for insurance cannot be fulfilled, which in no way equates with the fact that the insurance request satisfies only one underwriting standard. However, in order to clarify the meaning of the status terms recited in claim 13, Applicants have included in claim 13 further defining features for each status term. As amended, the language of claim 13, which defines each status term in reference to whether an insurance request will be filled, unfilled, or partially filled, clearly distinguishes over Erlanger. Accordingly, Applicants respectfully request that the rejection of claim 13 under 35 U.S.C. § 102(e) be withdrawn. At least for the same reason, the rejection of dependent claims 14-18 and 24, which depend from claim 13 and thereby include all its limitations, also should be withdrawn.

Rejection Of Claims 1, 3-12, 20, 22, 25, 27-39, 41-46, 48-50, And 53-56 Under 35 U.S.C. § 103(a)

The rejection of claims 1, 3-12, 20, 22, 25, 27-39, 41-46, 48-50, and 53-56 under 35 U.S.C. § 103(a) should be withdrawn because the disclosure in Erlanger and Growney, whether considered singularly or in combination, fails to teach or suggest the complete combination of features included in each of the rejected claims. Independent claims 1, 25, 39, 46, and 54 have each been amended to recite substantially the same features added to amended claim 13 that have been discussed above. As noted, Erlanger fails to teach a method (or system: see claim 46) wherein a bid status comprises one of OK, Partial OK, and Excluded, wherein a status of OK denotes acceptance of a bid, a status of Partial OK denotes only a portion of requested capacity will be filled, and a status of Excluded denotes that a bid has not been accepted. Nor does the Examiner allege that Growney discloses this feature. Accordingly, independent claims 1; 25; 39;

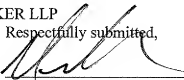
46; and 54, as well as respective dependent claims 3-12, 20, and 22; 27-38; 41-45; 48-50 and 53; and 55-56, are patentable over the cited art. Applicants therefore respectfully request that the rejection of claims 1, 3-12, 20, 22, 25, 27-39, 41-46, 48-50, and 53-56 under 35 U.S.C. § 103(a) be withdrawn.

Rejection Of Claims 2, 21, 23, 26, 40, 47, 51, And 52 Under 35 U.S.C. § 103(a)

The rejection of claims 2; 21, and 23; 26; 40; and 47, 51 and 52 was predicated upon the rejection of respective independent claims 1; 13; 25; 39; and 46, which are patentable over any combination of Erlanger and Growney, as discussed above. It follows that claims 2, 21, 23, 26, 40, 47, 51, and 52 are also patentable over Erlanger in view of Growney, at least for their dependence from patentable independent claims. Nor does the disclosure in Klaus cure the deficiencies in the teachings of Erlanger and Growney. Applicants therefore respectfully request that the rejection of claims 2, 21, 23, 26, 40, 47, 51, and 52 under 35 U.S.C. § 103(a) also be withdrawn.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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